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C O R R E C T E D C O P Y CHANGED PARA 5 CLASS

E.O. 12958: DECL: 01/07/2020
TAGS: [PGOV](#) [PTER](#) [KDEM](#) [IZ](#)
SUBJECT: PRESS REPORTS OF SUNNI MP CANDIDATE'S
DISQUALIFICATION OVERBLOWN

Classified By: Political Minister Counselor Gary A. Grappo for reasons
1.4 (b) and (d).

11. (SBU) Summary: On January 7 a spate of press stories in Iraq and in the U.S. reported that Saleh Mutlaq, MP and a senior leader of the leading Sunni-majority political coalition, had been barred from running for a seat in the Council of Representatives under de-Bathification provisions of the 2009 Accountability and Justice Law. Reports in the press of a conclusive action having been taken by against Mutlaq and the others appear to be incorrect. The only action apparently taken was a recommendation by the parliamentary Accountability and Justice Committee that the Elections Commission (IHEC) bar Mutlaq from being a candidate. However, the Elections Commission is unlikely to take such controversial action against as prominent a political figure as Mutlaq. End summary.

12. (SBU) On January 7 a spate of press stories in Iraq and in the U.S. reported that Saleh Mutlaq, MP, senior leader of the leading Sunni-majority political coalition and candidate in the 2010 parliamentary elections, had been barred from running for a seat in the Council of Representatives under de-Bathification provisions of the 2009 Accountability and Justice Law. Under a 2008 Iraqi law, the only entity authorized to bar persons from positions with the Government of Iraq is the Accountability and Justice Commission, which is charged with authorizing the removal of current GOI employees and office holders who held senior positions in the Ba,thist Party under Saddam Hussein from their positions and barring such persons from future positions in the GOI. The A&J Commission succeeded the De-Bathification Commission, which was charged with the same role in the first years of the post-Saddam GOI.

13. (C) The action reported in the press was taken by the Accountability and Justice Committee of the Council of Representatives (not/not the A&J Commission). The action taken by the COR Committee was a recommendation to the Independent High Electoral Commission (IHEC) that Mutlaq and the other candidates (NFI) be barred from seeking a seat in the COR. The IHEC solicits such recommendations from several Ministries and other GOI agencies, including the COR A&J Committee prior to rendering a decision whether candidates should be barred. Thus, to date, no final action has been taken against Mutlaq or any other candidates. (Comment: Given that IHEC is a relatively weak, very politicized entity, it is unlikely that it would take the extremely unpopular step of barring one of the senior leaders of the leading Sunni-majority political coalition in Iraq. End comment).

14. (U) Some of the confusion in the press derives from the fact that though the action reported was taken by the A&J Committee of the COR, the announcement was made by a spokesman for the A&J Commission, which is not currently

empowered to take any action because no Commission members have been approved to take office. Mutlaq told Poloff that there was no legal basis for the charges and that the COR Committee did not have the authority to bar him from running for a seat in the COR. He added that he believed that the charges were part of an effort orchestrated by Ahmed Chalabi, former head of the De-Bathification Commission. Chalabi is now a member of the Shi'a Iraqi National Alliance.

The rest of the story

¶5. (C) Faisal al-Lami was detained by U.S. military officials
Q5. (C) Faisal al-Lami was detained by U.S. military officials in August 2008 on suspicion of facilitating the efforts of Asaab Ahl al-Haq (AAH), a Shi,ite extremist group implicated in violence against U.S. and Iraqi forces. The detention was made in connection with an investigation into suspected collaboration by Ahmed Chalabi with AAH. Al-Lami was released in August of 2009. Al-Lami was a senior aide to Chalabi during Chalabi,s time as head of the De-Bathification Commission. After his release, he resumed his position at the Accountability and Justice Commission (formerly the De-Bathification Commission).

¶6. (U) The announcement cited in most of the news articles was made by Faisal al-Lami, spokesman for the A&J Commission, which is not yet empowered to take any action, and not/not by the A&J Committee of the COR which actually took the action reported in the media.

¶7. (U) Comment: The 2010 Parliamentary campaign has begun.
End comment.
HILL